

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.
Secretary to the Commission

VOLUME 15. Part 26. Pp. 455—474

OPINION 460

Validation under the Plenary Powers of the generic name
Muntiacus Rafinesque, 1815, and designation for the
genus so named of a type species in harmony with
accustomed usage (Class Mammalia)

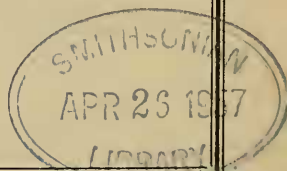
LONDON :

Printed by Order of the International Trust for
Zoological Nomenclature
and

Sold on behalf of the International Commission on Zoological
Nomenclature by the International Trust at its Publications Office
41, Queen's Gate, London, S.W.7
1957

Price Thirteen Shillings and Sixpence

(All rights reserved)



INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 460

A. The Officers of the Commission

Honorary Life President: Dr. Karl JORDAN (*British Museum (Natural History),
Zoological Museum, Tring, Herts., England*)

President: Professor James Chester BRADLEY (*Cornell University, Ithaca, N.Y., U.S.A.*)
(12th August 1953)

Vice-President: Senhor Dr. Afranio do AMARAL (*Sao Paulo, Brazil*) (12th August 1953)

Secretary: Mr. Francis HEMMING (*London, England*) (27th July 1948)

B. The Members of the Commission

(Arranged in order of precedence by reference to date of election or of most recent re-election
as prescribed by the International Congress of Zoology)

Professor H. BOSCHMA (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*)
(1st January 1947)

Senor Dr. Angel CABRERA (*La Plata, Argentina*) (27th July 1948)

Mr. Francis HEMMING (*London, England*) (27th July 1948) (*Secretary*)

Dr. Henning LEMCHE (*Universitetets Zoologiske Museum, Copenhagen, Denmark*) (27th
July 1948)

Professor Teiso ESAKI (*Kyushu University, Fukuoka, Japan*) (17th April 1950)

Professor Pierre BONNET (*Université de Toulouse, France*) (9th June 1950)

Mr. Norman Denbigh RILEY (*British Museum (Natural History), London*) (9th June 1950)

Professor Tadeusz JACZEWSKI (*Institute of Zoology, Polish Academy of Sciences, Warsaw,
Poland*) (15th June 1950)

Professor Robert MERTENS (*Natur-Museum u. Forschungs-Institut Senckenberg, Frankfurt
a.M., Germany*) (5th July 1950)

Professor Erich Martin HERING (*Zoologisches Museum der Humboldt-Universität zu
Berlin, Germany*) (5th July 1950)

Senhor Dr. Afranio do AMARAL (*S. Paulo, Brazil*) (12th August 1953) (*Vice-President*)

Professor J. R. DYMOND (*University of Toronto, Toronto, Canada*) (12th August 1953)

Professor J. Chester BRADLEY (*Cornell University, Ithaca, N.Y., U.S.A.*) (12th August
1953) (*President*)

Professor Harold E. VOKES (*Johns Hopkins University, Baltimore, Maryland, U.S.A.*) (12th
August 1953)

Professor Béla HANKÓ (*Mezőgazdasági Múzeum, Budapest, Hungary*) (12th August 1953)

Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, New York, N.Y.,
U.S.A.*) (12th August 1953)

Mr. P. C. SYLVESTER-BRADLEY (*Sheffield University, Sheffield, England*) (12th August 1953)

Dr. L. B. HOLTHUIS (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*)
(12th August 1953)

Dr. K. H. L. KEY (*Commonwealth Scientific and Industrial Research Organisation,
Canberra, A.C.T., Australia*) (15th October 1954)

Dr. Alden H. MILLER (*Museum of Vertebrate Zoology, University of California, U.S.A.*)
(29th October 1954)

Doc. Dr. Ferdinand PRANTL (*Národní Museum v Praze, Prague, Czechoslovakia*) (30th
October 1954)

Professor Dr. Wilhelm KÜHNELT (*Zoologisches Institut der Universität, Vienna, Austria*)
(6th November 1954)

Professor F. S. BODENHEIMER (*The Hebrew University, Jerusalem, Israel*) (11th November
1954)

Professor Ernst MAYR (*Museum of Comparative Zoology at Harvard College, Cambridge,
Massachusetts, U.S.A.*) (4th December 1954)

Professor Enrico TORTONESE (*Museo di Storia Naturale "G. Doria", Genova, Italy*)
(16th December 1954)

OPINION 460

VALIDATION UNDER THE PLENARY POWERS OF THE GENERIC NAME "MUNTIACUS" RAFINESQUE, 1815, AND DESIGNATION FOR THE GENUS SO NAMED OF A TYPE SPECIES IN HARMONY WITH ACCUSTOMED USAGE (CLASS MAMMALIA)

RULING :—(1) Under the Plenary Powers :—

(a) the generic name *Muntiacus* Rafinesque, 1815, is hereby validated ;

(b) the nominal species *Cervus muntjak* Zimmermann, 1780, is hereby designated to be the type species of the genus specified in (a) above.

(2) The under-mentioned generic name is hereby placed on the *Official List of Generic Names in Zoology* with the Name No. 1074 :—

Muntiacus Rafinesque, 1815, as validated under the Plenary Powers in (1)(a) above (gender : masculine) (type species, by designation under the Plenary Powers in (1)(b) above : *Cervus muntjak*, Zimmermann, 1780).

(3) The under-mentioned specific name is hereby placed on the *Official List of Specific Names in Zoology* with the Name No. 1152 :—

muntjak Zimmermann, 1780, as published in the combination *Cervus muntjak* (specific name of type species of *Muntiacus* Rafinesque, 1815).

(4) The under-mentioned generic name is hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* with the Name No. 867 :—

Cervulus Blainville, 1816 (a junior objective synonym of *Muntiacus* Rafinesque, 1815, as validated under the Plenary Powers in (1)(a) above.

I. THE STATEMENT OF THE CASE

On 12th January 1951, Dr. T. C. S. Morrison-Scott (then of *British Museum (Natural History)*, London and now *Director, Science Museum, London*), submitted to the International Commission on Zoological Nomenclature the following application for the validation under the Plenary Powers of the generic name *Muntiacus* Rafinesque, 1815 (Class Mammalia) and for the designation under the same Powers of a type species for the genus so named in harmony with established practice :—

Proposed use of the Plenary Powers to validate the well-known generic name “*Muntiacus*” in the Class Mammalia first published by Rafinesque in 1815

By T. C. S. MORRISON-SCOTT, D.S.C., M.A., D.Sc.
(*Department of Zoology, British Museum (Natural History), London*)

The purpose of the present application is to ask the International Commission on Zoological Nomenclature to use its Plenary Powers to provide a valid status for the well-known generic name *Muntiacus* (Class Mammalia) first published by Rafinesque in 1815 (*Analyse Nature* : 56).

2. The following is the text of the passage in which this name occurs in Rafinesque's *Analyse* :

“ Cornes solides, simples ou rameuses, permanentes ou caduques.
G.1. *Cervus* L. 2. *Muntiacus* R. do. sp. 3. *Giraffa* R. *Camelopardalis* L.”

3. In spite of the fact that Rafinesque gave some descriptive words for this group of genera as a whole, it must be admitted that he gave no indication by which the genera comprised in this group could be separated from one another. If he had cited any nominal species (the names of which had previously been published), the lack of a definition for these genera would not have invalidated the generic name in question (1950, *Bull. zool. Nomencl.* 4 : 78—80), but, as he did not do so, it must be admitted that *Muntiacus*, as published by Rafinesque, is a *nomen nudum*.

4. The name *Muntiacus* is in current use for the muntjaks and, unless it is validated, it will be necessary to substitute for it the name *Cervulus* Blainville, 1816 (*Bull. Sci. Soc. philomat. Paris* 1816 : 74), which would be a confusion unaccompanied by any advantage.

5. In order to avoid this result, and in the interests of stability, I ask the International Commission on Zoological Nomenclature :—

- (1) to use its Plenary Powers to validate the under-mentioned generic name and to designate as its type species the species specified below :—

Name of Genus	Species proposed to be designated under the Plenary Powers as type species of the genus specified in Col. (1)
(1)	(2)
<i>Muntiacus</i> Rafinesque, 1815, <i>Analyse</i> : 56	<i>Cervus muntjak</i> Zimmermann, 1780, <i>Geogr. Gesch.</i> 2 : 131

- (2) to place on the *Official List of Generic Names in Zoology* the generic name specified in Col. (1) in (1) above, with the masculine gender and with, as its type species, the species specified in Col. (2) ;

- (3) to place the undermentioned specific name on the *Official List of Specific Names in Zoology* :—*muntjak* Zimmermann, 1780, as published in the combination *Cervus muntjak* (specific name of type species of *Muntiacus* Rafinesque, 1815).

II. THE SUBSEQUENT HISTORY OF THE CASE

2. Registration of the present application : Upon the receipt of Dr. Morrison-Scott's application, the question of the validation of the generic name *Muntiacus* Rafinesque, 1815, was allotted the Registered No. Z.N.(S.) 481.

3. Publication of the present application : The present application was sent to the printer on 4th February 1955 and was published on 31st May in the same year in Part 5 of Volume 11 of the *Bulletin of Zoological Nomenclature* (Morrison-Scott, 1955, *Bull. zool. Nomencl.* **11** : 167—168).

4. Issue of Public Notices : Under the revised procedure prescribed by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* **4** : 51—56), Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was given on 31st May 1955 (a) in Part 5 of Volume 11 of the *Bulletin of Zoological Nomenclature* (the Part in which Dr. Morrison-Scott's application was published) and (b) to the other prescribed serial publications. In addition, such Notice was given also to four general zoological serial publications and to two mammalogical serials in Europe and America respectively.

5. Comments received : Following the publication of the present application in the *Bulletin of Zoological Nomenclature* and prior to the submission to the International Commission of a Voting Paper in respect of the present case comments on the proposal submitted were received from twenty-three specialists. Of these, twenty (20) supported the present application and three (3) were opposed to it. The distribution by countries of the specialists who furnished these comments was as follows :—

(a) *Specialists who supported the present application (twenty (20)) :*

Argentina (one) ; Australia (one) ; Belgium (one) ;
France (one) ; Germany (four) ; Italy (two) ; Netherlands

(two) ; Poland (one) ; U.S.S.R. (one) ; United Kingdom (four) ; U.S.A. (two).

(b) *Specialists who opposed the present application (three (3)) :*

Netherlands (two) ; U.S.A. (one).

The comments so received are reproduced in the immediately following paragraphs.

6. Support received from Miss E. M. O. Laurie (British Museum (Natural History), London) : On 21st February 1956, Miss E. M. O. Laurie (*British Museum (Natural History), London*) sent the following letter of support to the Office of the Commission :—

I wish to support most strongly the application by Dr. Morrison-Scott (1955, *Bull. zool. Nomencl.* **11** : 167—168) for the validation of the generic name *Muntiacus* Rafinesque, 1815 for the muntjaks. I understand that Dr. Hershkovitz has written to the Commission objecting to the use of *Muntiacus* and proposing the use of *Cervulus* Blainville, 1816. I can see no advantage in this proposal. The substitution of *Cervulus* for the well-known name *Muntiacus*, which is in current use, would be quite absurd as it could only lead to confusion.

7. Support received from Sir John Ellerman (London) : On 21st February 1956, Sir John Ellerman (*London*) sent the following letter of support to the Office of the Commission :—

I understand that Dr. T. C. S. Morrison-Scott has asked the International Commission to validate the generic name *Muntiacus* Rafinesque, 1815, for the Muntjak Deer. I beg to state that I am wholly in agreement with this request.

8. Support received from Erna Mohr (Zoologisches Museum, Hamburg, Germany) : On 23rd February 1956, Dr. Erna Mohr (*Zoologisches Museum, Hamburg, Germany*) sent the following letter of support to the Office of the Commission :—

I wish to support the application by T. C. S. Morrison-Scott regarding the validation of *Muntiacus*.

9. Support received from R. W. Hayman (British Museum (Natural History), London) : On 23rd February 1956, Mr. R. W. Hayman (*British Museum (Natural History), London*) addressed the following letter of support to the Office of the Commission :—

I wish to support strongly the application by Dr. Morrison-Scott (1955, *Bull. zool. Nomencl.* **11** : 167—168) for the validation of the generic name *Muntiacus* Rafinesque, 1815. I would regard Dr. Hershkovitz's proposal¹ for its replacement by *Cervulus* Blainville, 1816, as quite unnecessary and liable to lead to confusion, since the well-known name *Muntiacus* has been in current usage for many years.

10. Support received from F. C. Fraser (British Museum (Natural History), London) : On 24th February 1956, Dr. F. C. Fraser (*British Museum (Natural History), London*) sent the following letter of support to the Office of the Commission :—

My colleague Dr. Morrison-Scott has told me about the objection that has been raised to the use of the name *Muntiacus* Rafinesque, 1815². I hope that the substitution of *Cervulus* will be opposed by the Commission because in this matter I write as a non-specialist and should like in my work to continue to employ a name which has been in use in the Osteological Room for a very long time now. It is inscribed on labels, specimen boxes, cabinets, in our card index and in the works of reference used in the Section. It is not advancing zoological science one bit to make an alteration in the currently used generic name and I should be surprised if, in the international rules on nomenclature, you could not apply one which would make any change unnecessary.

11. Support received from A. C. V. van Bemmél (Alkmaar, The Netherlands) : On 27th February 1956, Dr. A. C. V. van Bemmél (*Alkmaar, The Netherlands*) sent the following letter of support to the Office of the Commission :—

With much interest I saw the application for the validation of the generic name *Muntiacus* by Mr. T. C. S. Morrison-Scott in the *Bulletin of Zoological Nomenclature*, 1955, **11** : 167.

¹ For the comment by Dr. Hershkovitz here referred to, see paragraph 26 of the present *Opinion*.

For the objection here referred to, see paragraph 26 of the present *Opinion*.

As I am specially interested in this genus, *vide* my review of the Indo-malaysian species (Beaufortia 16, May 7th 1952, pp. 1—22) I want to tell you that I can support the views of Mr. Morrison-Scott. Since the generic name *Muntiacus* was reintroduced by Lydekker in 1898 this name was used by 95 authors in publication on Indo-Australian Barking Deer. These publications are both scientific and what could be called popular science. The name was applied especially by authors on Indo-Australian Barking Deer because the name has been derived from the vernacular name "Mentjek" or "Muntjak" in common use in this part of the world.

Now perhaps it would have been better if Lydekker had not supported the name *Muntiacus* Rafinesque, this strictly taken being a *nomen nudum*. On the other hand it is impossible to suspect that Rafinesque had any other animal in view but the Barking Deer, the name being derived from a vernacular name. As things are at the moment I think it would be advisable to keep this well-known and commonly accepted name and not to replace it by a name hardly in use since 1898. As the Commission give us encouragement towards the stability of well-known names I think that in this case there is every reason to avoid a quite unnecessary change.

12. Support received from J. Dorst (Muséum National d'Histoire Naturelle, Paris) : On 27th February 1956, Dr. J. Dorst (*Muséum National d'Histoire Naturelle, Paris*) addressed the following letter of support to the Office of the Commission :—

J'ai appris qu'il était question de changer le nom de *Muntiacus* pour faire place au genre *Cervulus*, comme vient de le proposer le Dr. Herschkowitz.³

J'ai beaucoup de considération pour les travaux de cet excellent mammalogiste, mais je tiens à vous dire que je ne partage nullement son point de vue dans cette question. Je suis par contre d'accord avec le Dr. Morrison-Scott pour demander la validation du nom de *Muntiacus*, nom qui est trop connu pour être remplacé par un autre, même antérieur. La nomenclature zoologique doit être stabilisée autant que nous pouvons, vous connaissez d'ailleurs mon point de vue sur cette question, que j'ai déjà exposé dans Mammalia à plusieurs reprises. Il importe de conserver les noms sous lesquels les mammifères sont connus, pour autant que seules des considérations de priorité sont en cause.

³ See Footnote 1 above.

J'espère que la commission de nomenclature se rangera au point de vue conservateur du Dr. Morrison-Scott.

13. Support received from S. Frechkop (Institut Royal des Sciences Naturelles de Belgique, Bruxelles) : On 1st March 1956, Dr. S. Frechkop (*Institut Royal des Sciences Naturelles de Belgique, Bruxelles*) addressed the following letter of support to the Office of the Commission :—

J'ai l'honneur de vous faire savoir que je m'allie au Dr. T. C. S. Morrison-Scott, du British Museum (Natural History), pour prier votre Commission de maintenir le nom générique *Muntiacus*.

14. Support received from H. von Boetticher (Naturwissenschaftliches Museum, Coburg) : On 3rd March 1956, Dr. H. von Boetticher (*Naturwissen-Schaftliches Museum, Coburg*) intimated his support for the present application as follows :—

I am in favour of the validation by the Commission of the generic name *Muntiacus* Rafinesque, 1815.

15. Support received from T. Haltenorth (Zoologischen Staatssammlung, München) : On 5th March 1956, Dr. T. Haltenorth (*Zoologischen Staatssammlung, München*) intimated his support for the present application as follows :—

I am in favour of the validation by the Commission of the generic name *Muntiacus* Rafinesque, 1815.

16. Support received from V. Tedesco Zammarano (Rome) : On 5th March 1956, Dr. V. Tedesco Zammarano (*Rome*) intimated his support for the present application as follows :—

I am in favour of the validation by the Commission of the generic name *Muntiacus* Rafinesque, 1815.

17. Support received from William H. Burt (Museum of Zoology, University of Michigan, Ann Arbor, U.S.A.) : On 5th March 1956, Dr. William H. Burt (*Museum of Zoology, University of Michigan, Ann Arbor, U.S.A.*) intimated his support for the present application as follows :—

I am in favour of the validation by the Commission of the generic name *Muntiacus* Rafinesque, 1815.

18. Support received from D. A. Hooijer (Rijksmuseum van Natuurlijke Historie, Leiden) : On 6th March 1956, Dr. D. A. Hooijer (*Rijksmuseum van Natuurlijke Historie, Leiden*) intimated his support for the present application as follows :—

I am in favour of the validation by the Commission of the generic name *Muntiacus* Rafinesque, 1815.

19. Support received from G. G. Simpson (American Museum of Natural History, New York) : On 6th March 1956, Dr. G. G. Simpson (*American Museum of Natural History, New York*) intimated his support for the present application as follows :—

I am strongly in favour of the validation by the Commission of the generic name *Muntiacus* Rafinesque, 1815.

20. Support received from A. Cabrera (La Plata, Argentina) : On 6th March 1956, Dr. A. Cabrera (*La Plata, Argentina*) intimated his support for the present application as follows :—

I am in favour of the validation by the Commission of the generic name *Muntiacus* Rafinesque, 1815.

21. Support received from W. Serafiński (Polskiej Akademii Nauk, Warsaw) : On 8th March 1956, Dr. W. Serafiński (*Polskiej*

Akademii Nauk, Warsaw) intimated his support for the present application as follows :—

I am in favour of the validation by the Commission of the generic name *Muntiacus* Rafinesque, 1815.

22. Support received from Klaus Zimmermann (Humboldt-Universität zu Berlin) : On 7th March 1956, Professor Klaus Zimmermann (*Humboldt-Universität zu Berlin*) sent the following letter of support to the Office of the Commission :—

In the question about the name *Muntiacus* Rafinesque, 1815, I would express my full agreement with the opinion of Dr. Morrison-Scott that *Muntiacus* should be retained and validated.

23. Support received from C. W. Brazenor (National Museum, Victoria, Australia) : On 19th March 1956, Dr. C. W. Brazenor (*National Museum, Victoria, Australia*) intimated his support for the present application as follows :—

I am in favour of the validation by the Commission of the generic name *Muntiacus* Rafinesque, 1815.

24. Support received from A. Toschi (Università di Bologna, Italy) : On 28th March 1956, Professor A. Toschi (*Università di Bologna, Italy*) sent the following letter of support to the Office of the Commission :—

I agree with Dr. Morrison-Scott's application for the validation of *Muntiacus*.

25. Support from V. G. Heptner (Zoological Museum, Moscow) : On 5th April 1956, Dr. V. G. Heptner (*Zoological Museum, Moscow*) addressed the following letter of support to the Office of the Commission :—

J'approuve la proposition de M. Morrison-Scott concernant de porter le nom *Muntiacus* sur la liste de *nomina conservanda*.

26. Objection received from P. Hershkovitz (Chicago Natural History Museum, U.S.A.) : On 26th September 1955, Dr. P. Hershkovitz (*Chicago Natural History Museum, U.S.A.*) sent to the Office of the Commission a number of comments on recently published applications. His representations concerning the present case were as follows :—

In his application for validation of *Muntiacus* Rafinesque, 1815, Morrison-Scott admits that the name is a *nomen nudum*. He concludes, however, that unless *Muntiacus* “ is validated, it will be necessary to substitute for it the name *Cervulus* Blainville, 1816 . . . which would be a confusion without any advantage ”.

Many advantages accrue from compliance with the Rules. One is stability in nomenclature. Another is time and effort saved by not formulating proposals for use of the Plenary Powers by the International Commission.

Regarding *Cervulus* Blainville, perhaps it was not Morrison-Scott's intention to give the impression that the name has been ignored, that it never had currency and that its introduction into the literature at this time would unnecessarily complicate the work of taxonomists and compilers. The facts are these.

1. *Cervulus* Blainville was the generic name generally applied by all taxonomists, compilers and authors of textbooks from 1816 to 1915 when *Muntiacus* Rafinesque was uncritically used by Lydekker in his *Catalogue of the Ungulate Mammals in the British Museum (Natural History)* 4 : 10.

2. The *nomen nudum* *Muntiacus* Rafinesque was not used from its inception in 1815 until 1907 when Elliot validated it in his *Catalogue of the Collection of Mammals in the Field Columbian Museum* : 38. Elliot designated *Cervus muntjak* Zimmermann as type. The name *Cervulus* Blainville, with *Muntiacus* Rafinesque as an unavailable synonym, was used by Trouessart in the supplementary volume of his *Catalogus Mammalium*, published 1904. This may have been Elliot's source of misguided inspiration for use of *Muntiacus*.

3. The case in favour of *Muntiacus* is not properly presented by Morrison-Scott. He asks, in effect, and in deed, that the Commission use its Plenary Powers to give priority to the *nomen nudum* *Muntiacus* Rafinesque, 1815, rather than to the valid *Muntiacus* of authors, specifically, of Elliot, 1907.

4. It is the unique specific name *muntjak* Zimmermann and not the generic name that stabilizes the identity of the small deer universally known as the muntjak. Hence, use of the valid and widely used generic name *Cervulus* Blainville entails no confusion and re-establishes the stability disturbed by Elliot and his followers.

In conclusion, it is recommended that the Commission reject *Muntiacus* of Rafinesque and others, and place the name *Cervulus* Blainville, 1816, with type *Cervus muntjak* Zimmermann, on the *Official List of Generic Names*.

27. Objection received from A. M. Husson (Rijksmuseum van Natuurlijke Historie, Leiden) : On 27th February 1956, Dr. A. M. Husson (*Rijksmuseum van Natuurlijke Museum, Leiden*) addressed the following letter to the Office of the Commission :—

After having carefully studied the *Muntiacus-Cervulus* problem I arrived at the following conclusion.

The arguments to retain the name *Cervulus* are :

1. It is the valid name for the species.
2. The introduction of this name will not cause any confusion, since it never has been used for any other than the present genus.
3. The generic name *Cervulus* has been often used (especially by older authors) for the present genus. In Van Bemmels's revision of the Indo-Australian are references given to 17 authors in 18 publications before 1930 and 19 authors in 26 publications after 1930 using the name *Muntiacus*, and to 19 authors in 26 publications before 1930 and 5 authors in 6 publications after 1930 using the name *Cervulus*.
4. It is an euphonious name the use of which does not give rise to an unpleasant pseudo-tautonymy like *Muntiacus muntjak*.

The only argument in favour of the use of the name *Muntiacus* is that this name has been used in several of the recent checklists and catalogues (Ellerman & Morrison-Scott, Chasen, Simpson), and that in the last 20 years it has been used much more frequently than *Cervulus*.

In my opinion this argument (in favour of the name *Muntiacus*) is too weak to justify the use of the Plenary Powers, the more so since the Barking Deer is not an extremely common form and the publications on it are not very numerous.

28. Objection received from F. H. van den Brink (Noordwijk aan Zee, The Netherlands) : On 24th March 1956, Me. F. H. van den Brink (*Noordwijk aan Zee, The Netherlands*) intimated his objection to the present application as follows :—

I would be satisfied if the name *Muntiacus* Rafinesque, 1815, were to be replaced by the name *Cervulus* Blainville, 1816.

29. Supplementary proposal relating to the generic name “*Cervulus*” Blainville, 1816 : When the Voting Paper to be issued in the present case was in preparation, Mr. Hemming as Secretary prepared a note (a) drawing attention to the statement in paragraph 4 of the application submitted in this case that, if that application were to be rejected, it would be necessary to revert to the use of the generic name *Cervulus* Blainville, 1816, (b) stating that he had ascertained that the foregoing generic name would be a junior objective synonym of *Muntiacus* Rafinesque, 1815, if that name were to be validated by the Commission, since in 1904 (1904, *N. Amer. Fauna* 23 : 174) Palmer had selected as the type species of *Cervulus* Blainville the nominal species *Cervus muntjak* Zimmermann, 1780, the species which in the present application it was recommended should be designated by the Commission as the type species of *Muntiacus* Rafinesque. Mr. Hemming then recalled the General Directive issued by the Thirteenth International Congress of Zoology, Paris, 1948, under which the Commission is required to place on the appropriate *Official Index of Rejected and Invalid Names in Zoology* any objectively invalid name found to be involved in any case submitted to it. Mr. Hemming therefore recommended that, if the Commission were to decide in favour of the application submitted by Dr. Morrison-Scott, it should place on the *Official Index of Rejected and Invalid Generic Names in Zoology* the generic name *Cervulus* Blainville, 1816, which

under such a decision would have become a junior objective synonym of *Muntiacus* Rafinesque, 1815. The note so prepared by the Secretary was added as Note 4 to the Voting Paper subsequently prepared (see paragraph 33 below).

30. Support for the present application received after the submission to the International Commission of the Voting Paper relating to the present case : After the submission to the International Commission of the Voting Paper relating to the present case letters were received in the Office of the Commission from two specialists, asking that their support for the present application be placed on record. The letters so received are reproduced in the immediately following paragraphs.

31. Support received from Constantin C. Flerow (Paleontological Museum, Academy of Sciences of U.S.S.R., Moscow) : After the submission to the Commission of the Voting Paper referred to in the immediately preceding paragraph, Dr. Morrison-Scott (the applicant in the present case) forwarded to the Office of the Commission the following letter of support for the present application which he had received from Professor Constantin C. Flerow (*Paleontological Museum, Academy of Sciences of U.S.S.R., Moscow*) dated 30th April 1956 :—

Your view on the question about the name *Muntiacus* is right. There is no need to change this well-known and established name.

32. Support received from C. A. Gibson-Hill (Raffles Museum, Singapore) : On 1st August 1956, Dr. C. A. Gibson-Hill (*Raffles Museum, Singapore*) wrote the following letter of support in the present case :—

I should be grateful if you would record my name as supporting Mr. T. C. S. Morrison-Scott's application for validation of *Muntiacus*

Rafinesque, 1815. I did consider the matter in some detail about two years ago, when preparing an annotated checklist of mammals of the Malay Peninsula (now in the press), and then decided to follow Morrison-Scott in his *Checklist of Palearctic and Indian Mammals*—which as you know covers the whole of the mainland of Eurasia except the Malay Peninsula.

III. THE DECISION TAKEN BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

33. Issue of Voting Paper V.P.(56)22 : On 26th April 1956, a Voting Paper (V.P.(56)22) was issued in which the Members of the Commission were invited to vote either for, or against, “the proposal relating to the generic name *Muntiacus* Rafinesque, 1815, as set out in Points (1) to (3) in paragraph 5 on page 168 of Volume 11 of the *Bulletin of Zoological Nomenclature* [i.e. as set out in the paragraph numbered as above in the application reproduced in the first paragraph of the present *Opinion*], with the addition specified in Note 4 overleaf” [i.e. the addition specified in paragraph 29 of the present *Opinion*].

34. The Prescribed Voting Period : As the foregoing Voting Paper was issued under the Three-Month Rule, the Prescribed Voting Period closed on 26th July 1956.

35. Particulars of the Voting on Voting Paper V.P.(56)22 : At the close of the Prescribed Voting Period, the state of the voting on Voting Paper V.P.(56)22 was as follows :—

(a) *Affirmative Votes had been given by the following twenty-four (24) Commissioners (arranged in the order in which Votes were received) :*

Holthuis ; Vokes ; Miller ; Prantl ; Esaki ; Jaczewski ; Hankó ; Dymond ; Bonnet ; Bodenheimer ; Mayr ; Mertens ; Lemche ; Key ; Boschma ; do Amaral ; Riley ; Cabrera ; Stoll ; Sylvester-Bradley⁴ ; Tortonese ; Hemming ; Kühnelt ; Hering ;

(b) *Negative Votes :*

None ;

(c) *On Leave of Absence, one (1) :*

Bradley (J.C.) ;

(d) *Voting Papers not returned :*

None.

36. Declaration of Result of Vote : On 27th July 1956, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P. (56)22, signed a Certificate that the Votes cast were as set out in paragraph 35 above and declaring that the proposal submitted

⁴ Commissioner Sylvester-Bradley exercised in this case the right conferred by the Thirteenth International Congress of Zoology in Paris, 1948, under which a Commissioner may, if he so desires, signify his willingness to support the view, or the majority view, of other members of the Commission (1950, *Bull. zool. Nomencl.* 4 : 50—51).

in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

37. Preparation of the Ruling given in the present " Opinion " : On 6th December 1956, Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(56)22.

38. Original References : The following are the original references for the names placed on *Official Lists* and *Official Indexes* by the Ruling given in the present *Opinion* :—

Cervulus Blainville, 1816, *Bull. Soc. Sci. philomat. Paris* **1816** : 74

Muntiacus Rafinesque, 1815, *Analyse Nature* : 56

muntjak, *Cervus*, Zimmermann, 1780, *Geogr. Gesch. Menschen*. **2** : 131

39. Family-Group-Name Problem : At the time of the preparation of the application dealt with in the present *Opinion* it had not become the duty of the International Commission to take account of associated family-group-name problems when placing generic names on the *Official List of Generic Names in Zoology*. Accordingly, this aspect of the problem associated with the generic name *Muntiacus* Rafinesque was not dealt with in the application submitted. It has, however, since been ascertained that the genus so named is currently treated as the type genus of a subfamily MUNTIACINAE of the family CERVIDAE. The nomenclatorial problem so involved has been allotted the Registered No. Z.N.(S.) 1187, and Dr. T. C. S. Morrison-Scott has since submitted a proposal on this subject which will be published in the *Bulletin of Zoological Nomenclature* at an early date⁵.

40. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing

⁵ Dr. Morrison-Scott's application on this subject will, it is expected, be published towards the end of March, 1957 (*Bull. zool. Nomencl.* **13** : 76—79).

with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

41. The present *Opinion* shall be known as *Opinion* Four Hundred and Sixty (460) of the International Commission on Zoological Nomenclature.

DONE in London, this Sixth day of December, Nineteen Hundred and Fifty-Six.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING